

Honorable John H. Chun

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

HANNA J. McANDIE,

Plaintiff,

vs.

ROBERT CLARK,

Defendant.

No. 3:21-cv-05227-JHC

PRETRIAL ORDER

TRIAL DATE:
MARCH 27, 2023

I. INTRODUCTION

As of the date of the pretrial conference, the sole remaining defendant is Robert Clark, in his individual capacity. With McAndie filing the notice of settlement, Clark clarifies that it intends to offer the same witnesses, experts, and exhibits in its defense as have been identified by Defendant Sequim School District (SSD).

II. JURISDICTION

The parties dispute that jurisdiction is proper with this Court.

II. CLAIMS AND DEFENSES

A. Plaintiff's Claims

Plaintiff brings the following claims against Defendant Robert Clark:

- 1 1. Sexual harassment/discrimination under RCW 49.60.180(3), specifically,
2 hostile work environment.
- 3 2. Retaliation under RCW 49.60.210(1) related to Defendant Clark's investigations
4 into an allegation of an affair between Plaintiff and prior Superintendent Gary
5 Neal.

6 **B. Defendant Clark's Defenses:**

- 7 1. Plaintiff has failed to state a claim for which relief can be granted.
- 8 2. Damages, if any, sustained by the Plaintiff were proximately caused by persons other
9 than Clark and Clark has no legal liability, either direct or vicarious.
- 10 3. Damages, if any, sustained by Plaintiff were not the result of the action by Clark and
11 must be segregated from those sustained as a result of intentional or unlawful
12 conduct by others.
- 13 4. Plaintiff has failed to mitigate damages.
- 14 5. Damages, in whole or in part, are due to conditions that preexisted or are unrelated
15 to the claims alleged against Clark in Plaintiff's Complaint.
- 16 6. Plaintiff's Complaint, and each of its causes of action, is barred, because Clark's
17 actions with respect to Plaintiff were take solely for legitimate, non-discriminatory,
18 non-retaliatory, and non-pretextual reasons unrelated to any alleged protected
19 activity by Plaintiff or any alleged discrimination, harassment or retaliation.
- 20 7. Pursuant to the laws of the State of Washington, including RCW 4.22.070, Clark is
21 entitled to an allocation of fault under the determination of proportionate share of
22 entities/individuals causing damages if recovery is sought.
- 23 8. There is no causation between the acts alleged against Clark and the damages
24 claimed to have been sustained by Plaintiff.
- 25
- 26
- 27

III. ADMITTED FACTS

The following facts are admitted by the parties:

1. Defendant SSD employed Plaintiff starting in October 2017 as a part-time substitute para educator. She became a permanent special education para in November 2017.
2. Plaintiff married Ian McAndie in 2018.
3. During the time period relevant to this case, Plaintiff was working full-time with SSD, most recently as a Student Support Specialist.
4. On May 9, 2019, Plaintiff filed an incident report alleging middle school principal, Vince Riccobene, was belligerent and intimidating to her and mocked/belittled a special education student in a discriminatory manner during a community truancy board meeting.
5. The District retained a third-party investigator who concluded that Mr. Riccobene engaged in the alleged behavior.
6. Superintendent Gary Neal resigned and Defendant Clark became superintendent in July 2019.
7. After Neal resigned and Defendant Clark became the new superintendent, Clark became aware of an allegation that Plaintiff and Neal were having an affair when Neal was the Superintendent.
8. Defendant Clark investigated the allegation.
9. As part of that investigation, Defendant Clark approached Plaintiff's father-in-law, John McAndie, who worked as the Director of Maintenance for SSD, and asked him about the allegation.
10. John McAndie told Defendant Clark that he had no knowledge of such a relationship.
11. The conversation took place in John McAndie's office.

1 12. On October 9, 2020, Plaintiff reported to the District that she experienced sexual
2 harassment and discrimination as a result of Defendant Clark's actions.

3 13. Plaintiff started working remotely in June 2020, until she took leave around
4 February 2021.

5 14. After the District began an investigation based on Plaintiff's complaints of sexual
6 harassment and discrimination, Defendant Clark resigned.

7 15. The District concluded that Defendant Clark "used poor judgment in the way he
8 approached the situation, causing embarrassment and discomfort."

9 16. Plaintiff's husband filed for divorce in December 2021.

10 **III. ISSUES OF LAW**

11 1. Was Plaintiff subjected to unwelcome verbal and physical conduct that was
12 sufficiently severe or pervasive to alter conditions of employment and create a subjective and
13 objective abusive work environment because of sex?

14 2. Did Defendant Clark investigate the allegation about Plaintiff having an affair
15 with a prior superintendent in retaliation for Plaintiff's Complaint filed against Vince
16 Riccobene?

17 3. Was retaliation the substantial factor motivating Defendant Clark to investigate
18 the allegation about Plaintiff having an affair with a prior superintendent?

19 4. Would Defendant Clark's investigations into the allegation about Plaintiff
20 having an affair with the prior superintendent dissuade a reasonable person in Plaintiff's
21 position from reporting harassment and/or discrimination?

22 **DESIGNATION OF DEPOSITION AND OBJECTIONS THERETO**

23 The parties have not designated any deposition testimony for use at trial.

24 **DAMAGES AND OTHER RELIEF REQUESTED**

25 Plaintiff seeks economic damages, both in the form of lost past income and benefits
26 and lost future income and benefits, and noneconomic damages (pain and suffering).
27

SETTLEMENT

The parties attempted a mediation before Paris Kallas on November 3, 2022. The mediation was unsuccessful. Subsequently, Plaintiff has settled with SSD but the claims against Clark go forward.

EXPERT WITNESSES

(a) Each party shall be limited to 1 expert witness on the issue of Plaintiff's medical condition.

(b) The names and addresses of the expert witnesses to be used by each party at the trial and the issue upon which each will testify is:

(1) On behalf of Plaintiff:

a. Dr. Laura Brown, 4131 1st Ave NW, Seattle WA 98107-4910. Dr. Brown will testify regarding her evaluation of Plaintiff's mental state.

(2) On behalf of Defendant:

a. Dr. Kathryn Applegate, 2105 North 30th Street, Tacoma, WA 98403. Dr. Applegate will testify regarding her evaluation of Plaintiff's mental state.

WITNESSES

A. Plaintiff's Witnesses

	Name	Address	Expected Testimony	Likelihood of Testifying
1.	Hanna McAndie Plaintiff	c/o Plaintiff's counsel	Ms. McAndie will testify regarding her knowledge of facts supporting claims, damages, and refuting the defenses raised in this case.	Will Testify
2.	May Smith Plaintiff's mother	c/o Plaintiff's counsel.	Ms. Smith will testify regarding her knowledge of Plaintiff before, during, and after her employment with SSD.	Will Testify

3.	Jim Stoffer	SSD Director Adverse Witness	Mr. Stoffer was a SSD school board member during times relevant to the issues described in the Amended Complaint. He will testify regarding facts pertaining to the claims, defenses and damages in this case.	Will Testify
4.	Valorie Knieper	SSD Employee	Ms. Knieper was an SSD employee during the period relevant to the issues described in the Amended Complaint. She will testify regarding facts pertaining to claims, defenses and damages to this case.	Will Testify
5.	Anita Benitez	SSD Employee	Ms. Benitez may testify regarding her knowledge of facts pertaining to the claims, defenses and damages in this case.	May Testify
6.	Gary Neal	2004 W Courtland Ave Spokane, WA 99205	Mr. Neal was SSD Superintendent and will testify regarding facts pertaining to the claims, defenses and damages in this case.	Will Testify
7.	Jennifer Maughan	PO Box 16332 Seattle, WA 98116	Ms. Maughan was SSD Assistant Superintendent and will testify regarding facts pertaining to the claims, defenses and damages in this case.	Will Testify
8.	Linsay Rapelje	SSD Employee	Ms. Rapelje is a librarian at Sequim School District and will testify regarding facts pertaining to the claims, defenses and damages in this case.	May Testify
9.	Matt Piersoll	919 S Pine St Port Angeles, WA 98362	Mr. Piersoll is a Border Patrol Agent and FaceBook blogger who	May Testify

			may testify regarding facts pertaining to the claims, defenses and damages in this case.	
10.	Larry Hill	32 Plum Tree LN Sequim, WA 98382	Mr. Hill is a retired Sequim School District teacher and may testify regarding facts pertaining to the claims, defenses and damages in this case.	May testify
11.	Dena Riccobene	2001 Bluebell Dr Lynden, WA 98264	Ms. Riccobene was a SSD employee and will testify regarding facts pertaining to the claims, defenses and damages in this case.	May testify
12.	Elizabeth Lawson	SSD Employee	Ms. Lawson is an SSD employee and may testify regarding facts pertaining to the claims, defenses and damages in this case.	Will Testify
13.	John McAndie	SSD Employee	Mr. McAndie is an SSD employee and will testify regarding facts pertaining to the claims, defenses and damages in this case.	Will Testify
14.	Robert Clark	Defendant	Mr. Clark is a former SSD employee and may testify regarding facts pertaining to the claims, defenses and damages in this case.	May Testify
15.	Amy Klosterman	P.O. Box 17130 Seattle, WA 98127	Ms. Klosterman is a lawyer who investigated aspects of Plaintiff's claims and will testify regarding facts pertaining to the claims, defenses and damages in this case.	Will Testify
16.	David Lyke	SSD Volunteer	SSD Volunteer and contracted staff member - will testify regarding facts pertaining to the claims, defenses and damages in this case.	May Testify
17.	Justina Grimes Brown	Cape Flattery Staff	Observing training CTB	May Testify

18.	Megan Lyke	SSD Employee	Ms. Lyke may testify regarding facts pertaining to the claims, defenses and damages in this case.	May Testify
19.	Larry Jeffryes	SSD Volunteer	Mr. Jeffryes will testify regarding facts pertaining to the claims, defenses and damages in this case.	Will Testify
20.	Diana Piersoll	SSD employee	SSD Employee will testify regarding facts pertaining to the claims, defenses and damages in this case.	Will Testify
21.	Brandino Gibson	SSD SB	Mr. Gibson will testify regarding facts pertaining to the claims, defenses and damages in this case.	Will Testify
22.	Brian Kuh	SSD SB	Mr. Kuh may testify regarding facts pertaining to the claims, defenses and damages in this case.	May Testify
23.	Heather Short	SSD SB	Ms. Short may testify regarding facts pertaining to the claims, defenses and damages in this case.	May Testify
24.	Randy Hill	SSD HR Director (former)	Mr. Hill may testify regarding facts pertaining to the claims, defenses and damages in this case.	May Testify
25.	Robin Henricksen	SSD SB	Ms. Henricksen may testify regarding facts pertaining to the claims, defenses and damages in this case.	May Testify
26.	Vince Riccobene	SSD Middle School Principal (former)	Mr. Riccobene may testify regarding facts pertaining to the claims, defenses and damages in this case.	May Testify
27.	Trayce Norman	SSD employee	Ms. Trayce may testify regarding facts pertaining to the claims, defenses and damages in this case.	
28.	Victoria Balint	SSD HR Director	Ms. Balint will testify regarding facts pertaining to the claims, defenses and damages in this case.	Will Testify

29.	Darlene Apeland	SSD employee	Ms. Apeland may testify regarding facts pertaining to the claims, defenses and damages in this case.	May Testify
30.	Jane Pryne	SSD Superintendent	Ms. Prine may testify regarding facts pertaining to the claims, defenses and damages in this case.	May Testify
31.	Shawn Flood	SSD Investigator	Ms. Flood will testify regarding her investigation of the claims, defenses and damages in this case.	Will Testify

B. Defendants' Witnesses

	Identification	Status
1.	<p>Hanna McAndie c/o Dan Gallagher Gallagher Law Office PS 10611 Battler Point Drive NE Bainbridge, WA 98110-1493</p> <p>Hanna McAndie is the plaintiff in this case and will testify regarding her knowledge of facts pertaining to the claims, defenses and damages at issue in this lawsuit.</p>	Will testify
2.	<p>Robert Clark c/o Lori Bemis McGavick Graves 1102 Broadway Ste 500 Tacoma, WA 98402</p> <p>Robert Clark was the Superintendent at Sequim School District at times relevant to the issues described in the Complaint. He will testify regarding the facts pertaining to the claims, defenses and damages in this lawsuit.</p>	Will testify

3.	<p>John McAndie c/o Preg O'Donnell and Gillett 901 Fifth Avenue, Suite 3400 Seattle, Washington 98164</p> <p>John McAndie was the Director of Maintenance at Sequim School District at all times relevant to the issues described in the Complaint. He will testify regarding the facts pertaining to the claims, defenses and damages in this lawsuit.</p>	Will testify
4.	<p>Valorie Knieper c/o Preg O'Donnell and Gillett 901 Fifth Avenue, Suite 3400 Seattle, Washington 98164</p> <p>Valorie Knieper was a Human Resources Specialist at Sequim School District at all times relevant to the issues described in the Complaint. She will testify regarding the facts pertaining to the claims, defenses and damages in this lawsuit.</p>	Will testify
5.	<p>Darlene Apeland c/o Preg O'Donnell and Gillett 901 Fifth Avenue, Suite 3400 Seattle, Washington 98164</p> <p>Darlene Apeland was the Director of Business Operations and Finances at Sequim School District at all times relevant to the issues described in the Complaint. She will testify regarding the facts pertaining to the claims, defenses and damages in this lawsuit.</p>	Will testify
6.	<p>Brandino Gibson 11 Mustang Ln, Ste 104 Sequim, WA 98382</p> <p>Brandino Gibson was President of the Sequim School District School Board at all times relevant to the issues described in the Complaint. He will testify regarding the facts pertaining to the claims, defenses and damages in this lawsuit.</p>	Will testify

1	7.	Megan Lyke c/o Preg O'Donnell and Gillett 901 Fifth Avenue, Suite 3400 Seattle, Washington 98164	Will testify
2			
3		Megan Lyke was Public Information Officer at Sequim School District during times relevant to the issues described in the Complaint. She will testify regarding the facts pertaining to the claims, defenses and damages in this lawsuit.	
4			
5			
6	8.	Tricia Stratton c/o Preg O'Donnell and Gillett 901 Fifth Avenue, Suite 3400 Seattle, Washington 98164	Will testify
7			
8		Tricia Stratton was Office Coordinator for Greywolf Elementary at Sequim School District during times relevant to the issues described in the Complaint. She will testify regarding facts pertaining to the claims, defenses and damages in this lawsuit.	
9			
10			
11			
12	9.	Erin Fox c/o Preg O'Donnell and Gillett 901 Fifth Avenue, Suite 3400 Seattle, Washington 98164	Will testify
13			
14		Erin Fox is High School Principal at Sequim School District and was an Assistant Principal during times relevant to the issues described in the Complaint. She will testify regarding facts pertaining to the claims, defenses and damages in this lawsuit.	
15			
16			
17	10.	Trayce Norman c/o Preg O'Donnell and Gillett 901 Fifth Avenue, Suite 3400 Seattle, Washington 98164	Will testify
18			
19		Trayce Norman was the Executive Assistant to the Superintendent at Sequim School District during all times relevant to the issues described in the Complaint. She will testify regarding facts pertaining to the claims, defenses and damages in this lawsuit.	
20			
21			
22			
23	11.	Dr. Kathryn Applegate 2105 North 30 th Street Tacoma, WA 98403	Will Testify
24			
25		Dr. Applegate is expected to testify regarding the mental health of Plaintiff as it relates to the issues described in the Complaint and regarding the claims, defenses and damages in this lawsuit.	
26			
27			

12.	<p>Gary Neal 2004 W Courtland Ave Spokane, WA 99205</p> <p>Gary Neal was Superintendent at Sequim School District during times relevant to the issues described in the Complaint. She will testify regarding facts pertaining to the claims, defenses and damages in this lawsuit.</p>	Will Testify
13.	<p>Ian McAndie c/o Derek Medina, Attorney 210 E 5th St. Port Angeles, WA 98362</p> <p>Ian McAndie was married to Hanna McAndie during times relevant to the issues described in the Complaint. He will testify regarding facts pertaining to the claims, defenses and damages in this lawsuit.</p>	Will Testify
14.	<p>Jennifer Maughan 1708 45th Avenue SW Seattle, WA 98116</p> <p>Jennifer Maughan was Assistant Superintendent at Sequim School District during times relevant to the issues described in the Complaint. She will testify regarding facts pertaining to the claims, defenses and damages in this lawsuit.</p>	Will Testify
15.	<p>Kathleen Haggard Haggard & Ganson LLP 19125 North Creek Parkway, Suite 120 PMB 337 Bothell, Washington 98011</p> <p>Kathleen Haggard conducted an investigation into whether Plaintiff was retaliated against by Sequim School District for submitting a complaint of sexual harassment against former Superintendent Rob Clark. She will testify regarding facts pertaining to claims, defenses and damages to this lawsuit.</p>	Will Testify
16.	<p>Linsay Rapelje c/o Preg O'Donnell and Gillett 901 Fifth Avenue, Suite 3400 Seattle, Washington 98164</p> <p>Linsay Rapelje is a librarian at Sequim School District and was an Assistant Principal during times relevant to the issues described in the Complaint. She will testify regarding facts pertaining to the claims, defenses and damages in this lawsuit.</p>	Will Testify

1	17.	Matt Piersoll 919 S Pine St Port Angeles, WA 98362	Will Testify
2			
3		Matt Piersoll is a member of the Sequim community at all times relevant to the issues described in the Complaint. He will testify regarding facts pertaining to the claims, defenses and damages in this lawsuit.	
4			
5	18.	Vince Riccobene 2001 Bluebell Dr Lynden, WA 98264	Will Testify
6			
7		Vince Riccobene was a school principal in Sequim school District at all times relevant to the issues described in the Complaint. He will testify regarding facts pertaining to the claims, defenses and damages in this lawsuit.	
8			
9			
10	19.	Victoria Balint c/o Preg O'Donnell and Gillett 901 Fifth Avenue, Suite 3400 Seattle, Washington 98164	May Testify
11			
12		Victoria Balint was Director of Human Resources during times relevant to the issues described in the Complaint. She will testify regarding facts pertaining to the claims, defenses and damages in this lawsuit.	
13			
14			
15	20.	Rebecca Stanton c/o Preg O'Donnell and Gillett 901 Fifth Avenue, Suite 3400 Seattle, Washington 98164	May Testify
16			
17		Rebecca Stanton was an elementary school Principal for Sequim School District during times relevant to the issues described in the Complaint. She will testify regarding facts pertaining to the claims, defenses and damages in this lawsuit.	
18			
19			
20			
21	21.	Donna Hudson c/o Preg O'Donnell and Gillett 901 Fifth Avenue, Suite 3400 Seattle, Washington 98164	May Testify
22			
23		Donna Hudson was an elementary school Principal for Sequim School District during times relevant to the issues described in the Complaint. She will testify regarding facts pertaining to the claims, defenses and damages in this lawsuit.	
24			
25			
26			
27			

1	22.	Dena Riccobene 2001 Bluebell Dr Lynden, WA 98264	May Testify
2			
3		Dena Riccobene was a school librarian at Sequim School District during all times relevant to the issues described in the Complaint. She will testify regarding facts pertaining to the claims, defenses and damages in this lawsuit.	
4			
5	23.	Larry Hill 32 Plum Tree LN Sequim, WA 98382	May Testify
6			
7		Larry Hill was a retired Sequim School District teacher at Sequim School District during times relevant to the issues described in the Complaint. He will testify regarding facts pertaining to the claims, defenses and damages in this lawsuit.	
8			
9			
10	24.	Amy Klosterman Klosterman Law, PLLC P.O. Box 17130 Seattle, WA 98127	May Testify
11			
12		Amy Klosterman conducted an investigation into whether Dr. Clark investigated a rumor regarding Plaintiff and former superintendent Gary Neal. She will testify regarding facts pertaining to the claims, defenses and damages in this lawsuit.	
13			
14			
15	25.	Jim Stoffer 570 America Blvd Sequim, WA 98382	May Testify
16			
17		Jim Stoffer was a member of the Sequim School District School Board at times relevant to the issues described in the Complaint. He will testify regarding the facts pertaining to the claims, defenses and damages in this lawsuit.	
18			
19			
20	26.	Brian Kuh 914 N Beverage St Sequim, WA 98382	May Testify
21			
22		Brian Kuh was a member of the Sequim School District School Board at times relevant to the issues described in the Complaint. He will testify regarding the facts pertaining to the claims, defenses and damages in this lawsuit.	
23			
24			
25			
26			
27			

27.	Mark Pekar Sequim Adventist Church 30 Sanford Lane Sequim, WA 98382 Mark Pekar was a pastor at Sequim Adventist Church at times relevant to the issues described in the Complaint. He will testify regarding the facts pertaining to his meeting with Hanna McAndie and Ian McAndie regarding their marriage.	May Testify
-----	---	-------------

Plaintiff reserves the right to call Defendants' witnesses in her case in chief. Plaintiff sent Clark a link to 40 exhibits on March 2, subsequently adding additional exhibits which were either documents produced by SSD in discovery or photos of Plaintiff and her then husband. Plaintiff expects to use the photos for illustrative purposes. Plaintiff received Defendants' exhibits March 3rd at 8:35 a.m.

EXHIBIT LIST AND OBJECTIONS

A. Plaintiff's Exhibit List and Objections

No.	Description	Authenticity	Admissibility	Objection	Admitted
1.	HM CTB Incident Report 5227-001968-977	Disputed	Disputed	FRE 401 (b) Not necessary/relevant FRE 403 unfair prejudice (one sided) ; confusing the issues; wasting time; needlessly presenting cumulative evidence	
2.	Plaintiff's Job Applications 5227-1894 to 001967	Disputed	Disputed	FRE 401 (b) Not necessary/relevant FRE 403 wasting time; needlessly presenting cumulative evidence	

1	3.	RC Letter to Harrison re Job Change SSD_HM_01577	Stipulated	Stipulated		
2	4.	Flood Investigation SSD_HM_01739 to 01786	Stipulated	Disputed	FRE 401(b) Not necessary/relevant	
3	5.	Balint 10.30.20 Email to HM 5227-001978	Stipulated	Stipulated		
4	6.	2.26.21 HM Retaliation Complaint re Confidentiality Breach DDS_HM_004975	Stipulated	Disputed	FRE 401(b) Not necessary/relevant	
5	7.	Policy 3210-3000 Nondiscrimination 5227-001979-80	Stipulated	Disputed	FRE 401(b) Not necessary/relevant	
6	8.	Policy 4220P Resolution of Employee Complaints 5227-001981to 82	Stipulated	Stipulated		
7	9.	Policy 5010-5000 Nondiscrimination 5227-001983 to 001985	Stipulated	Stipulated		
8	10.	Policy 5010P Procedure Nondiscrimination 5227-001986 to 1994	Stipulated	Stipulated		
9	11.	Policy 5270 Resolution of Staff Complaints 5270-001995	Stipulated	Stipulated		
10	12.	Policy 5270P Procedure 4220P Guidelines for Resolving Employee Grievances. 5227-001996	Stipulated	Stipulated		
11	13.	Policy 4220P Resolving	Stipulated	Stipulated		

	Employee Complaints 5227-001997-1998				
14.	HM Email to SB Formal Complaint SH 5227-001999	Stipulated	Stipulated		
15.	BG Letter to HM Closing Klosterman Investigation 5227-002000	Stipulated	Stipulated		
16.	Clark Survey Monkey 5227-002001-2029	Stipulated	Stipulated		
17.	HM SH Email to VB and Responses 5227-002039- 002042	Stipulated	Stipulated		
18.	HM HRC Charge 5227-002039-2042	Stipulated	Stipulated NOTE: Defendants also offered this exhibit, including Plaintiff's statement which is not included in this copy		
19.	VB Receipt of Claim Letter 5227-002043 to 2053	Stipulated	Stipulated		
20.	JM Draft Reprimand VR 5227-002054-2056	Disputed	Disputed	FRE 401(b) Not necessary/relevant FRE 403 wasting time; confusing issues; needlessly presenting cumulative evidence	

21.	HM May 17 2019 Attachment 5227-2057 to 2074	Stipulated	Disputed **Several documents included, please break into separate exhibits	FRE 401(b) Not necessary/relevant FRE 403 wasting time; confusing issues; needlessly presenting cumulative evidence	
22.	M Piersoll Letter to Superintendent 5227-002075 to 2090	Stipulated	Disputed **Several documents included, please break into separate exhibits	FRE 401(b) Not necessary/relevant FRE 403 wasting time; confusing issues; needlessly presenting cumulative evidence	
23.	Stoffer 2.23.21 Email to Jane re Bullying DAY 2021 003857	Stipulated	Disputed	FRE 401(b) Not necessary/relevant FRE 403 wasting time; confusing issues; needlessly presenting cumulative evidence	
24.	HM Appeal Haggard Investigation SSD_HM_004974_	Stipulated	Stipulated		
25.	HM Email re Reporting VR SSD_HM 02962	Stipulated	Disputed	FRE 401(b) Not necessary/relevant FRE 403 wasting time; confusing issues; needlessly presenting cumulative evidence	
26.	C. Smith Email SSD_HM-02963	Stipulated	Disputed	FRE 401(b) Not necessary/relevant	

				FRE 403 wasting time; needlessly presenting cumulative evidence	
27.	Winter 2019 Newsletter SSD_HM_04031- 04034	Stipulated	Disputed	FRE 401(b) Not necessary/relevant FRE 403 wasting time; needlessly presenting cumulative evidence	
28.	V. Balint Letter SSD_HM_01168	Stipulated	Stipulated	FRE 401(b) Not necessary/relevant FRE 403 wasting time; confusing issues; needlessly presenting cumulative evidence	
29.	HM Email to VB and Response SSD_HM_01169- 1170	Stipulated	Stipulated *Incomplete email -- doesn't provide the entire document		
30.	HM Email to BG and VB SSD_HM_01172	Stipulated	Stipulated *Incomplete email -- doesn't provide the entire document		
31.	BG Email to RC SSD_HM_01189	Stipulated	Stipulated		

32.	VB Letter of Direction to VR SSD_HM_01258-1259	Stipulated	Disputed	FRE 401(b) Not necessary/relevant FRE 403 wasting time; confusing issues; needlessly presenting cumulative evidence	
33.	SM Letter to VB SSD_HM_01299 to 01300	Stipulated	Disputed	FRE 401(b) Not necessary/relevant FRE 403 wasting time; confusing issues; needlessly presenting cumulative evidence	
34.	BG Email to JM SSD_HM_1301	Stipulated	Stipulated *please remove highlightin g	FRE 401(b) Not necessary/relevant FRE 403 wasting time; confusing issues; needlessly presenting cumulative evidence	
35.	BG Email to RC SSD_HM_01443	Stipulated	Stipulated		
36.	AK Email to VB SSD_HM_01450	Stipulated	Stipulated		
37.	VB Email to AK SSD_HM_01498	Stipulated	Stipulated		
38.	VK Letter SSD_HM_02640	Stipulated	Disputed	FRE 401(b) Not necessary/relevant FRE 403 wasting time; confusing issues; needlessly presenting cumulative evidence	

39.	RH Letter to VR 5227-002000	Stipulated	Disputed	FRE 401(b) Not necessary/relevant FRE 403 wasting time; confusing issues; needlessly presenting cumulative evidence	
40.	JM Letter to VR SSD_HM_02644	Stipulated	Disputed	FRE 401(b) Not necessary/relevant FRE 403 wasting time; confusing issues; needlessly presenting cumulative evidence	
41.	Photograph 5227-004000			Untimely disclosure, FRE 401(b) not relevant; FRE 403 cumulative	
42.	Photograph 5227-004001			Untimely disclosure, FRE 401(b) not relevant; FRE 403 cumulative	
43.	Photograph 5227-004002			Untimely disclosure, FRE 401(b) not relevant; FRE 403 cumulative	
44.	Photograph 5227-004004			Untimely disclosure, FRE 401(b) not relevant; FRE 403 cumulative	
45.	Photograph 5227-004005			Untimely disclosure, FRE 401(b) not relevant; FRE 403 cumulative	
46.	Photograph 5227-004006			Untimely disclosure, FRE	

				401(b) not relevant; FRE 403 cumulative	
47.	Photograph 5227-004007			Untimely disclosure, FRE 401(b) not relevant; FRE 403 cumulative	
48.	Photograph 5227-004008			Untimely disclosure, FRE 401(b) not relevant; FRE 403 cumulative	
49.	Photograph 5227-004009			Untimely disclosure, FRE 401(b) not relevant; FRE 403 cumulative	
50.	Photograph 5227-004010			Untimely disclosure, FRE 401(b) not relevant; FRE 403 cumulative	
51.	Photograph 5227-004011			Untimely disclosure, FRE 401(b) not relevant; FRE 403 cumulative	
52.	Photograph 5227-004012			Untimely disclosure, FRE 401(b) not relevant; FRE 403 cumulative	
53.	Photograph 5227-004013			Untimely disclosure, FRE 401(b) not relevant; FRE 403 cumulative	
54.	Photograph 5227-004014			Untimely disclosure, FRE 401(b) not relevant; FRE 403 cumulative	
55.	Photograph 5227-004015			Untimely disclosure, FRE 401(b) not	

				relevant; FRE 403 cumulative	
56.	Photograph 5227-004016			Untimely disclosure, FRE 401(b) not relevant; FRE 403 cumulative	
57.	Photograph 5227-004017			Untimely disclosure, FRE 401(b) not relevant; FRE 403 cumulative	
58.	Photograph 5227-004018			Untimely disclosure, FRE 401(b) not relevant; FRE 403 cumulative	
59.	Photograph 5227-004019			Untimely disclosure, FRE 401(b) not relevant; FRE 403 cumulative	
60.	Photograph 5227-004020			Untimely disclosure, FRE 401(b) not relevant; FRE 403 cumulative	
61.	Photograph 5227-004021			Untimely disclosure, FRE 401(b) not relevant; FRE 403 cumulative	
62.	Photograph 5227-004022			Untimely disclosure, FRE 401(b) not relevant; FRE 403 cumulative	
63.	Photograph 5227-004023			Untimely disclosure, FRE 401(b) not relevant; FRE 403 cumulative	
64.	Photograph 5227-004021			Untimely disclosure, FRE 401(b) not relevant; FRE 403 cumulative	

65.	Photograph 5227-004025			Untimely disclosure, FRE 401(b) not relevant; FRE 403 cumulative	
66.	Photograph 5227-004026			Untimely disclosure, FRE 401(b) not relevant; FRE 403 cumulative	
67.	Photograph 5227-004027			Untimely disclosure, FRE 401(b) not relevant; FRE 403 cumulative	
68.	Photograph 5227-004028			Untimely disclosure, FRE 401(b) not relevant; FRE 403 cumulative	
69.	Photograph 5227-004029			Untimely disclosure, FRE 401(b) not relevant; FRE 403 cumulative	
70.	Photograph 5227-004030			Untimely disclosure, FRE 401(b) not relevant; FRE 403 cumulative	
71.	Photograph 5227-004031			Untimely disclosure, FRE 401(b) not relevant; FRE 403 cumulative	
72.	Photograph 5227-004032			Untimely disclosure, FRE 401(b) not relevant; FRE 403 cumulative	
73.	Photograph 5227-004033			Untimely disclosure, FRE 401(b) not relevant; FRE 403 cumulative	
74.	Photograph 5227-004034			Untimely disclosure, FRE	

				401(b) not relevant; FRE 403 cumulative	
75.	Photograph 5227-004035			Untimely disclosure, FRE 401(b) not relevant; FRE 403 cumulative	
76.	Photograph 5227-004036			Untimely disclosure, FRE 401(b) not relevant; FRE 403 cumulative	
77.	Photograph 5227-004037			Untimely disclosure, FRE 401(b) not relevant; FRE 403 cumulative	
78.	JS Email to JP DAY 2021 003857			Untimely disclosure, FRE 401 (b) not relevant as it relates to conduct of M. Piersoll; FRE 403 unduly prejudicial	
79.	JM Email to SR SSD_HM 01298			FRE 401 (b) not relevant.	
80.	JM Letter to VR SSD_HM 02644				
81.	JM Narrative SSD_HM_0243			Untimely disclosure, FRE 401(b) not relevant; FRE 801 hearsay	
82.	JS Email to AK SSD_HM_02418			FRE 401(b); FRE Untimely disclosure, 801 hearsay	
83.	BK Email to JS; JS to AK SSD_HM_02532-02533			Untimely disclosure, FRE 401(b) relevance; FRE 801 hearay	
84.	AK Email to VB SSD_HM_01450			Untimely disclosure, ER 401(b)	

1	85.	Klosterman Interview Notes SSD_HM_02632- 02638			Untimely disclosure, FRE 401 relevance; FRE 801 hearsay	
2						
3	86.	Larry Jeffries' Statement SSD_HM_01761- 01762			Untimely disclosure, FRE 401; FRE 801 hearsay.	
4						
5	87.	SM Email to VB, MD, BG SSD_HM_01299- 01300			Untimely disclosure, FRE 401(b) not relevant; FRE 801 hearsay as statement of JM.	
6						
7						
8						
9	88.	Parent Letter to JP SSD_HM_00106- 00111			Untimely disclosure; author unknown; 401(b) not relevant as addresses Superintendent Pryne; FRE 801 hearsay	
10						
11						
12						
13	89.	Anita Benitez interview notes SSD_HM_01911- 02013			FRE 401 relevance; FRE 801 hearsay; witness is slated to testify so notes are cumulative FRE 403.	
14						
15						
16						
17	90.	Salaries of Certificated Staff 2017-18 SSD_HM_02543			FRE 401 relevance.	
18						
19						
20	91.	SSD Visitor's Map SSD_HM_010135			FRE 401 relevance; 801 hearsay	
21						
22	92.	SSD Letter re: Langston and Clark SSD_HM_01486- 01487			Untimely disclosure; FRE 401 relevance; FRE 801 hearsay.	
23						
24	93.	VB Email to VR SSD_HM_010318			Untimely disclosure; FRE 401 relevance	
25						
26	94.	VR Separation Notice SSD_HM_010319			Untimely disclosure; FRE 401 relevance; 801 hearsay.	
27						

95.	SSD Board Minutes 5227-004050- 004053			Untimely disclosure; FRE 401 relevance	
96.	Policy 1620 5227-004054				
97.	Procedure 1620 Form 5227-004055- 004057			Untimely disclosure; FRE 401 Relevance	
98.	SSD Newsletter Fall 2019 SSD_HM_04365- 04372			Untimely disclosure; FRE 401 Relevance	
99.	Photograph 5227-004003			Untimely disclosure; FRE 401 relevance	

B. Defendants' Exhibit List and Objections

Defendant's Exhibits						
<u>Ex. No.</u>	<u>Date & Description</u>	<u>Bates No.</u>	<u>Authenticity</u>	<u>Admissibility</u>	<u>Objection</u>	<u>Admitted</u>
501.	September 20, 2018 Email exchange between H.McAndie and J.Maughan re: office hours	SSD_HM_005786	Stipulated	Disputed	FRE 401; 403; 801	
502.	October 1, 2018 Email from H.McAndie to G.Neal re: Today's Schedule	SSD_HM_010173	Stipulated	Disputed	FRE 401; 403	
503.	January 29, 2019 Email from J.Maughan to M.Seabolt re: Subonline!	SSD_HM_03133	Stipulated	Disputed	FRE 401; 403; 801	
504.	April 12, 2019 Email from H.McAndie to G.Neal re:	SSD_HM_05701	Stipulated	Disputed	FRE 401; 403; 801	

	Schedule Inquiry					
505.	July 11, 2019 Email from M.Lyke to D. Apeland and forwarded to J. Maughan re: FW no subject	SSD_HM_09415	Stipulated	Disputed	FRE 401; 403; 801	
506.	July 24, 2019 Email from H.McAndie to J.Maughan cc: R.Clark re: Summer hours	SSD_HM_004991	Stipulated	Disputed	FRE 401; 403; 801	
507.	October 30, 2019 Email from M.Lyke to J.Maughan and T.Norman re: Hanna	SSD_HM_03373	Stipulated	Disputed	FRE 401; 403; 801	
508.	July 1, 2019 S.Flood Investigation re H.McAndie complaint about V.Riccobene	SSD_HM_01739-SSD_HM_01786	Stipulated	Stipulated		
509.	May 21, 2019 Evaluation of H.McAndie by G.Neal	SSD_HM_000001	Stipulated	Stipulated		
510.	May 6, 2019 Email from H.McAndie to P.Lund containing 2019 Back to School Fair dates re: copy of last year's flyer?	SSD_HM_005667-SSD_HM_005671	Stipulated	Disputed	FRE 401; 403; 801	
511.	October 29, 2019 J.Maughan handwritten note to R.Clark re H.McAndie absence and morale	SSD_HM_005829	Disputed	Disputed	FRE 401; 403; 801; 901	

1	512.	December 17, 2019 J.Maughan email to H.McAndie re: Travel Request	SSD_HM_0099 38-SSD_HM_0099 39	Stipulated	Disputed	FRE 401; 403; 801	
2	513.	March 4, 2019 H.McAndie email to J.Maughan cc: G.Neal re: CTB recommendations	SSD_HM_0057 47-SSD_HM_0057 50	Stipulated	Disputed	FRE 401; 403; 801	
3	514.	November 12, 2019 H.McAndie email to J.Maughan and R.Alcafaras re: Website	SSD_HM_0054 98	Stipulated	Disputed	FRE 401; 403; 801	
4	515.	November 20, 2019 H.McAndie email to J. Maughan re: HMc Weekly Schedule	SSD_HM_0054 90-SSD_HM_0054 92	Stipulated	Disputed	FRE 401; 403; 801	
5	516.	December 17, 2019 H.McAndie email to J.Maughan re: GM and WM	SSD_HM_0054 63-SSD_HM_0054 64	Stipulated	Disputed	FRE 401; 403; 801	
6	517.	December 18, 2019 H.McAndie email with J.Maughan re: Suggestion	SSD_HM_0054 62	Stipulated	Disputed	FRE 401; 403; 801	
7	518.	December 26, 2019 Email from H.McAndie to J.Maughan, V. Knieper and R.Clark re: Leave Revision	SSD_HM_0054 52-SSD_HM_0054 53	Stipulated	Disputed	FRE 401; 403; 801	

1	519.	January 21, 2020 Email from H.McAndie to J.Maughan re: Schedule 1/20- 1/24	SSD_HM_0054 41- SSD_HM_0054 42	Stipulated	Disputed	FRE 401; 403; 801	
2	520.	January 22, 2020 Email from H.McAndie to J.Maughan re: Time in subonline	SSD_HM_0054 38- SSD_HM_0054 39	Stipulated	Disputed	FRE 401; 403; 801	
3	521.	January 30, 2020 H.McAndie email to J.Maughan re: Haller CTB cases	SSD_HM_0054 35	Stipulated	Disputed	FRE 401; 403; 801	
4	522.	March 10, 2020 H.McAndie email to J.Maughan re: Draft for principals	SSD_HM_0054 14- SSD_HM_0054 15	Stipulated	Disputed	FRE 401; 403; 801	
5	523.	July 6, 2020 H.McAndie email to J.Maughan re: Check in 6/29- 7/3	SSD_HM_0052 49- SSD_HM_0052 52	Stipulated	Disputed	FRE 401; 403; 801	
6	524.	July 8, 2020 H.McAndie email to J.Maughan re: PIO information	SSD_HM_0052 38- SSD_HM_0052 39	Stipulated	Disputed	FRE 401; 403; 801	
7	525.	July 9, 2020 J.Maughan to H.McAndie, M.Lyke, R.Alcafaras and M.Seabolt re: P- EBT Posts	SSD_HM_0051 95- SSD_HM_0051 96	Stipulated	Disputed	FRE 401; 403; 801	
8	526.	July 8, 2020 J.Maughan to H.McAndie re: PIO information	SSD_HM_0052 38- SSD_HM_0052 39	Stipulated	Disputed	FRE 401; 403; 801	

1	527.	July 15, 2020 H.McAndie to J.Maughan re: Work log	SSD_HM_0051 76	Stipulated	Disputed	FRE 401; 403; 801	
2							
3	528.	September 15, 2020 H.McAndie to J.Maughan re: MV Calls	SSD_HM_0051 19	Stipulated	Disputed	FRE 401; 403; 801	
4							
5							
6	529.	September 17, 2020 H.McAndie email to J.Maughan re: MV calls	SSD_HM_0051 04- SSD_HM_0051 08	Stipulated	Disputed	FRE 401; 403; 801; duplicate of Ex. 528	
7							
8							
9							
10	530.	September 25, 2020 H.McAndie email to J.Maughan re: MV issues	SSD_HM_0051 01- SSD_HM_0051 02	Stipulated	Disputed	FRE 401; 403; 801	
11							
12							
13							
14	531.	September 25, 2020 H.McAndie email to J.Maughan re: How to Contact Hanna	SSD_HM_0050 92- SSD_HM_0050 93	Stipulated	Disputed	FRE 401; 403; 801	
15							
16							
17							
18	532.	September 3, 2019 H.McAndie email to R.Clark re: Reporting of absences	SSD_HM_0055 76- SSD_HM_0055 77	Stipulated	Disputed	FRE 401; 403; 801	
19							
20							
21	533.	August 16, 2019 H.McAndie email to R.Clark and J.Maughan re: HMc Weekly Schedule 8/19- 8/23	SSD_HM_0351 0- SSD_HM_0351 1, SSD_HM_0049 87- SSD_HM_0049 88	Stipulated	Disputed	FRE 401; 403; 801	
22							
23							
24							
25							
26	534.	September 9, 2019 H.McAndie email to R.Clark,	SSD_HM_0055 37- SSD_HM_0055 38	Stipulated	Disputed	FRE 401; 403; 801	
27							

	J.Maughan and T.Norman re: tentative schedule for the week					
535.	September 16, 2019 H.McAndie email to R.Clark, J.Maughan, T.Norman and D. Apeland re:HMc Weekly Schedule	SSD_HM_0055 23- SSD_HM_0055 26 SSD_HM_0055 29- SSD_HM_0055 30	Stipulated	Disputed	FRE 401; 403; 801	
536.	September 16, 2019 H.McAndie email to R.Clark re: HMc Weekly Schedule	SSD_HM_0055 20- SSD_HM_0055 22	Stipulated	Disputed	FRE 401; 403; 801	
537.	September 19, 2019 H.McAndie email to R.Clark, J.Maughan, T.Norman, M.Lyke re: HMc Weekly Schedule	SSD_HM_0055 15- SSD_HM_0055 16	Stipulated	Disputed	FRE 401; 403; 801	
538.	October 1, 2019 H.McAndie email to R.Clark, J.Maughan, T. Norman re: HMc Weekly Schedule	SSD_HM_0055 08- SSD_HM_0055 09	Stipulated	Disputed	FRE 401; 403; 801	
539.	October 29, 2019 handwritten note from J.Maughan to R.Clark re H.McAndie absence causing morale issues and favoritism	SSD_HM_0058 29	Disputed	Disputed	FRE 401; 403; 801; 901	

1	540.	November 12, 2019 H.McAndie email to R.Clark and T.Norman re: HMc Weekly Schedule	SSD_HM_0054 99- SSD_HM_0055 00	Stipulated	Disputed	FRE 401; 403; 801	
2	541.	November 20, 2019 T.Norman email to J.Maughan re: HMc Weekly Schedule	SSD_HM_0100 98- SSD_HM_0101 00	Stipulated	Disputed	FRE 401; 403; 801	
3	542.	November 20, 2019 H.McAndie email to J.Maughan saying she will include her on weekly schedule after J.Maughan was looking for her	SSD_HM_0054 90- SSD_HM_0054 92	Stipulated	Disputed	FRE 401; 403; 801	
4	543.	November 22, 2019 H.McAndie email to R.Clark, J.Maughan, M.Lyke, T. Norman re weekly schedule	SD_HM_008969	Stipulated	Disputed	FRE 401; 403; 801	
5	544.	December 3, 2019 H.McAndie email to R.Clark re: HMc Weekly Schedule 12/2- 12/6	SSD_HM_0054 72- SSD_HM_0054 73	Stipulated	Disputed	FRE 401; 403; 801	
6	545.	December 16, 2019 H.McAndie email to R.Clark, J.Maughan, T.Norman and M.Lyke re: HMc	SSD_HM_0054 66- SSD_HM_0054 67	Stipulated	Disputed	FRE 401; 403; 801	

1		Weekly Schedule				
2	546.	January 21, 2020 H.McAndie email to J.Maughan regarding schedule accommodations	SSD_HM_0054 41- SSD_HM_0054 42	Stipulated	Disputed	FRE 401; 403; 801
3						
4						
5						
6	547.	October 29, 2019 H.McAndie email to R.Clark re sickness and out part of morning	SSD_HM_0058 16	Stipulated	Disputed	FRE 401; 403; 801
7						
8						
9						
10	548.	June 26, 2018 H.McAndie email to L.Lestage re: Truancy End of Year Reports	SSD_HM_0058 00	Stipulated	Disputed	FRE 401; 403; 801
11						
12						
13						
14	549.	September 6, 2018 H.McAndie email to G.Neal, T.Norman not making it to meeting	SSD_HM_0057 93	Stipulated	Disputed	FRE 401; 403; 801
15						
16						
17						
18	550.	September 14, 2018 H.McAndie email to L.Parker re: OPA MEMO #5	SSD_005790	Stipulated	Disputed	FRE 401; 403; 801
19						
20						
21	551.	October 17, 2018 H.McAndie email to B.Cooper re: Request for Information	SSD_HM_0057 71	Stipulated	Disputed	FRE 401; 403; 801
22						
23						
24						
25	552.	October 31, 2018 H.McAndie email to	SSD_HM_0057 57	Stipulated	Disputed	FRE 401; 403; 801
26						
27						

	S.Crutchfield re: Sequim Ground Breaking					
553.	March 7, 2019 H.McAndie email to P.Ofarrell re: Custom App Update	SSD_HM_0057 36- SSD_HM_0057 38	Stipulated	Disputed	FRE 401; 403; 801	
554.	March 22, 2019 H.McAndie email to K.Bushy, S.Jefferson re: Attendance Meeting and inability to meet regarding truancy issues	SSD_HM_0057 32	Stipulated	Disputed	FRE 401; 403; 801	
555.	April 24, 2019 H.McAndie email to P.Ofarrell re: Custom App Update	SSD_HM_0056 76- SSD_HM_0056 77	Stipulated	Disputed	FRE 401; 403; 801	
556.	May 14, 2019 H.McAndie email to J.Lopez, T.Stratton, D.Hudson re: Referral for Truancy Court	SSD_HM_0056 33- SSD_HM_0056 34	Stipulated	Disputed	FRE 401; 403; 801	
557.	September 19, 2019 H.McAndie email to several people re: Out of the Office	SSD_HM_0055 14	Stipulated	Disputed	FRE 401; 403; 801	
558.	November 14, 2019 H.McAndie email to M.Vander Velde re: ___CTB Hearing	SSD_HM_0054 96	Stipulated	Disputed	FRE 401; 403; 801	

1	559.	November 27, 2019 H.McAndie email to H.Liebert and M.Field re: Newsletter Deadlines	SSD_HM_0548 1- SSD_HM_0548 3	Stipulated	Disputed	FRE 401; 403; 801	
2	560.	December 4, 219 H.McAndie email to H.Liebert and M.Field re: Ad Copy Reminder	SSD_HM_0054 70	Stipulated	Disputed	FRE 401; 403; 801	
3	561.	January 15, 2020 H.McAndie email to J.Maughan re: Today	SSD_HM_0054 45	Stipulated	Disputed	FRE 401; 403; 801	
4	562.	January 23, 2020 H.McAndie email to L.Stauffer re: Meeting tomorrow 1-22?	SSD_HM_0054 37	Stipulated	Disputed	FRE 401; 403; 801	
5	563.	February 19, 2020 H.McAndie email to L.Stauffer re:CTB	SSD_HM_0054 34	Stipulated	Disputed	FRE 401; 403; 801	
6	564.	July 16, 2020 T.Norman email to J.Maughan re:Pandemic EBT	SSD_HM_0100 49- SSD_HM_0110 50	Stipulated	Disputed	FRE 401; 403; 801	
7	565.	August 10, 2020 M.Lyke email to H.McAndie re: Meeting?	SSD_HM_0051 49	Stipulated	Disputed	FRE 401; 403; 801	
8	566.	September 8, 2020 H.McAndie email to J.Lopez re: [redacted]	SSD_HM_0051 23- SSD_HM_0051 24	Stipulated	Disputed	FRE 401; 403; 801	

1	567.	September 30, 2020 H.McAndie email to R.Larsen re: possible MKV students	SSD_HM_0050 88	Stipulated	Disputed	FRE 401; 403; 801	
2							
3							
4							
5	568.	October 27, 2020 H.McAndie email to T.Thorson, M.Vander Velde, S.Thorson, J.Maughan and V. Riccobene re: Truancy Court Student and McKinney Vento Student	SSD_HM_0050 32- SSD_HM_0050 33	Stipulated	Disputed	FRE 401; 403; 801	
6							
7							
8							
9							
10							
11							
12							
13	569.	October 28, 2020 H.McAndie to J.Maughan re: Checking in	SSD_HM_0050 31	Stipulated	Disputed	FRE 401; 403; 801	
14							
15							
16	570.	October 4, 2018 J.Maughan to T. Stratton re: (no subject)	SSD_HM_0045 779- SSD_HM_0045 782	Disputed	Disputed	FRE 401; 403; 801; 901	
17							
18	571.	September 18, 2018 R.Hill email to J.Maughan re: Website Calendars	SSD_HM_0057 87- SSD_HM_0057 89	Stipulated	Disputed	FRE 401; 403; 801	
19							
20							
21							
22	572.	November 4, 2019 H.McAndie email to R.Clark re: Back to School Fair	SSD_HM_0055 03- SSD_HM_0055 04	Stipulated	Disputed	FRE 401; 403; 801	
23							
24							
25	573.	August 2, 2018 S.McIntire email to J.Maughan re: Calendars for parents	SSD_HM_0101 77- SSD_HM_0101 78	Stipulated	Disputed	FRE 401; 403; 801	
26							
27							

1	574.	October 23, 2018 D.Lamb email to H.McAndie and J.Maughan re: IMPORTANT District Calendar Blank on Website	SSD_HM_0057 69	Stipulated	Disputed	FRE 401; 403; 801	
2	575.	April 22, 2019 H.McAndie email to A.Tjemsland re:dates	SSD_HM_0056 92	Stipulated	Disputed	FRE 401; 403; 801	
3	576.	May 16, 2019 H.McAndie email to A.Tjemsland re: Calendar	SSD_HM_0056 32	Stipulated	Disputed	FRE 401; 403; 801	
4	577.	August 12, 2019 H.McAndie email to V.Knieper and J.Maughan re: non discrimination statement	SSD_HM_0049 89- SSD_HM_0049 90	Stipulated	Disputed	FRE 401; 403	
5	578.	June 15, 2020 J.Maughan email to H.McAndie re: Another one :)	SSD_HM_0052 71- SSD_HM_0052 72	Stipulated	Disputed	FRE 401; 403; 801	
6	579.	October 4, 2019 R.Stanton email to J.Maughan re: FYI-Truancy- info email	SSD_HM_0063 96- SSD_HM_0063 97	Stipulated	Disputed	FRE 401; 403; 801	
7	580.	March 27, 2019 S.Jefferson email to J.Maughan, G.Neal, R.Stanton re: Court 3/27	SSD_HM_0057 30- SSD_HM_0057 31	Stipulated	Disputed	FRE 401; 403; 801	
8	581.	October 31, 2018 H.McAndie	SSD_HM_0057 63	Stipulated	Disputed	FRE 401; 403; 801	

1		email to Deputy Clerk re: UPDATES				
2	582.	April 8, 2019 Email from H.McAndie to B.Brown re: Petitions Email #9	SSD_HM_0049 97-SSD_HM_0050 01	Stipulated	Disputed	FRE 401; 403; 801
3						
4						
5						
6	583.	September 25, 2020 Email from H.McAndie to T.Lassus and J. Clark re: SSD Contempts	SSD_HM_0050 95-SSD_HM_0050 99	Stipulated	Disputed	FRE 401; 403; 801
7						
8						
9						
10	584.	October 10, 2019 Email from S.Jefferson to K.Bushy, R.Stanton, J.Maughan re: Truancy	SSD_HM_0055 06-SSD_HM_0055 07	Stipulated	Disputed	FRE 401; 403; 801
11						
12						
13						
14	585.	November 14, 2019 Email from H.McAndie to [redacted], V.Riccobene re: Court	SSD_HM_0054 94	Disputed	Disputed	FRE 401; 403; 801; 901
15						
16						
17	586.	March 3, 2020 email from parent to H.McAndie re: truancy meeting	SSD_HM_0100 79-SSD_HM_0100 80	Disputed	Disputed	FRE 401; 403; 801; 901
18						
19						
20	587.	September 27, 2018 email from D.Lamb to J.Maughan re: available after school?	SSD_HM_0098 60	Stipulated	Disputed	FRE 401; 403; 801
21						
22						
23	588.	October 4, 2018 email from J.Maughan to T.Stratton re: [no subject] with list of various elementary and middle school	SSD_HM_0057 79-SSD_HM_0057 80	Disputed	Disputed	FRE 401; 403; 801; 901
24						
25						
26						
27						

	frustrations with HM					
589.	January 29, 2019 email from H.McAndie to S.Jefferson , K.Bushy, J.Maughan, R.Stanton and G.Neal re: Court today	SSD_HM_0057 56	Stipulated	Disputed	FRE 401; 403; 801	
590.	February 26, 2019 email from T.Stratton to H.McAndie, J.Maughan, J.Lopez, D.Hudson re: truant student at GWE T.Stratton difficulty serving parents and student with 23 absences and no truancy action	SSD_HM_0057 55	Stipulated	Disputed	FRE 401; 403; 801	
591.	May 16, 2019 email from H.McAndie to S.Jefferson, K.Bushy, R.Stanton, J.Maughan re: Court hearing for [redacted]	SSD_HM_0056 30	Stipulated	Disputed	FRE 401; 403; 801	
592.	June 11, 2019 H.McAndie email to L.Forshaw re: ENTERING TRUANCY	SSD_HM_0056 13- SSD_HM_0056 14	Disputed	Disputed	FRE 401; 403; 801; 901	
593.	September 13, 2019 T.Stratton email to H.McAndie J.Maughan,	SSD_HM_0055 31	Stipulated	Disputed	FRE 401; 403; 801	

	R.Clark, D.Hudson re:letter template for absences					
594.	September 18, 2019 H.McAndie email to T.Stratton, J.Lopez, J.Maughan, M.Willis re: question about attendance sheet for parents	SSD_HM_0055 18	Stipulated	Disputed	FRE 401; 403; 801	
595.	September 28, 2019 H.McAndie email to T.Norman, J.Maughan, T.Stratton re: new attendance	SSD_HM_0055 12	Stipulated	Disputed	FRE 401; 403; 801	
596.	December 3, 2019 H.McAndie email to C.Harms and K.Queen re: student with major attendance concerns	SSD_HM_0054 76- SSD_HM_0054 78	Stipulated	Disputed	FRE 401; 403; 801	
597.	January 10, 2020 H.McAndie email to L.Forshaw, M. Harris, and J.Maughan re: case files	SSD_HM_0054 46- SSD_HM_0054 47	Stipulated	Disputed	FRE 401; 403; 801	
598.	October 7, 2020 H.McAndie email to K.Queen, J.Maughan, L.Lestage re: check in attendance	SSD_HM_0050 70	Stipulated	Disputed	FRE 401; 403; 801	

1	599.	June 25, 2019 H.McAndie email to J.Maughan, G.Neal, D.Apeland re: placement for next year	SSD_HM_0056 09- SSD_HM_0056 12	Stipulated	Disputed	FRE 401; 403; 801	
2	600.	May 12, 2020 H.McAndie email to J.Maughan re: Student teaching	SSD_HM_0053 14	Stipulated	Disputed	FRE 401; 403; 801	
3	601.	January 8, 2020 H.McAndie email to J.Maughan re: Work hours	SSD_HM_0054 49- SSD_HM_0054 50	Stipulated	Disputed	FRE 401; 403; 801	
4	602.	April 17, 2020 V.Balint email to H.McAndie re: Check In Meeting	SSD_HM_0053 80	Stipulated	Disputed	FRE 401; 403; 801	
5	603.	May 18, 2020 H.McAndie email to J.Maughan re: 5/11-5/15 Check In	SSD_HM_0082 76- SSD_HM_0082 77	Stipulated	Disputed	FRE 401; 403; 801	
6	604.	May 26, 2020 H.McAndie email to J.Maughan re: 5/18-5/22 Check In	SSD_HM_0100 67- SSD_HM_0100 68	Stipulated	Disputed	FRE 401; 403; 801	
7	605.	June 1, 2020 H.McAndie email to J.Maughan re: 5/25-5/29 Check in	SSD_HM_0052 89- SSD_HM_0052 92	Stipulated	Disputed	FRE 401; 403; 801	
8	606.	June 8, 2020 H.McAndie email to J.Maughan re:	SSD_HM_0052 77- SSD_HM_0052 78	Disputed	Disputed	FRE 106; 401; 403; 801; 901	

	6/1-6/5 Check In					
607.	June 12, 2020 H.McAndie email to J.Maughan re: 6/8-6/12 Check In	SSD_HM_0100 60	Stipulated	Disputed	FRE 401; 403; 801	
608.	June 22, 2020 H.McAndie email to J.Maughan re: Check in 6/15- 6/19	SSD_HM_0100 58	Stipulated	Disputed	FRE 401; 403; 801	
609.	June 29, 2020 H.McAndie email to J.Maughan re: Check in 6/22- 6/26	SSD_HM_0100 55- SSD_HM_0100 56	Stipulated	Disputed	FRE 401; 403; 801	
610.	July 6, 2020 H.McAndie email to J.Maughan re: Check In 6/29- 7/3	SSD_HM_0334 0	Stipulated	Disputed	FRE 401; 403; 801	
611.	July 20, 2020 J.Maughan email to H.McAndie re: 7/13-7/16 Check In	SSD_HM_0051 68 SSD_HM_- 00169	Stipulated	Disputed	FRE 401; 403; 801	
612.	July 23, 2020 H.McAndie email to J.Maughan re: 7/20-7/23 Check in	SSD_HM_0100 47	Stipulated	Disputed	FRE 401; 403; 801	
613.	July 30, 2020 H.McAndie email to J.Maughan re: 7/27-7/30 check in	SSD_HM_0100 46	Stipulated	Disputed	FRE 401; 403; 801	
614.	August 7, 2020 H.McAndie email to J.Maughan re:	SSD_HM_0100 41	Stipulated	Disputed	FRE 401; 403; 801	

	8/3-8/7 Check In					
615.	August 14, 2020 McAndie email to J.Maughan re 8/14-8/14 check in	SSD_HM_0100 31	Stipulated	Disputed	FRE 401; 403; 801	
616.	August 21, 2020 H.McAndie to J.Maughan email re: check in 8/17-8/21	SSD_HM_0100 24	Stipulated	Disputed	FRE 401; 403; 801	
617.	August 28, 2000 H.McAndie email to J.Maughan re: Check In 8/24-8/28	SSD_HM_0100 23	Stipulated	Disputed	FRE 401; 403; 801	
618.	September 4, 2020 H.McAndie email to J.Maughan re: Check In 8/31-9/4	SSD_HM_0100 22	Stipulated	Disputed	FRE 401; 403; 801	
619.	September 11, 2020 H.McAndie email to J.Maughan re: Check In 9/7-9/11	SSD_HM_0100 21	Stipulated	Disputed	FRE 401; 403; 801	
620.	September 18, 2020 H.McAndie email to J.Maughan re: Check In 9/14-9/18	SSD_HM_0100 20	Stipulated	Disputed	FRE 401; 403; 801	
621.	September 25, 2020 H.McAndie email to J.Maughan re: Check In 9/21-9/25	SSD_HM_0073 76	Stipulated	Disputed	FRE 401; 403; 801	

1	622.	October 12, 2020 H.McAndie email to J.Maughan re: Check in 10/5 to 10/9	SSD_HM_0100 00	Stipulated	Disputed	FRE 401; 403; 801	
2							
3							
4							
5	623.	October 18, 2020 H.McAndie email to J.Maughan re: Check in 10/2 to 10/16	SSD_HM_0099 77	Stipulated	Disputed	FRE 401; 403; 801	
6							
7							
8							
9	624.	Interim Superintendent Feedback Survey Results	SSD_HM_0101 80- SSD_HM_0102 02	Disputed	Disputed	FRE 106; 401; 403; 404; 801; 901	
10							
11							
12	625.	October 12, 2020 H.McAndie email to V. Balint re: Complaint of Sexual Harassment	SSD_HM_0050 41- SSD_HM_0050 42	Stipulated	Stipulated		
13							
14							
15							
16							
17	626.	February 7, 2021 H.McAndie email to J.Maughan re: Leave of Absence Request	SSD_HM_0050 20	Stipulated	Disputed	FRE 106; 401; 403; 801	
18							
19							
20							
21	627.	Hanna and Ian McAndie Divorce Declarations	SSD_HM_0103 21- SSD_HM_0103 49	Stipulated	Disputed	FRE 401; 403	
22							
23	628.	May 1, 2019 H.McAndie email to C.Smith re: School Board FYI ("I'm in Spain right now")	SSD_HM_0056 72	Disputed	Disputed	FRE 106; 401; 403; 801; 901	
24							
25							
26							
27							

629.	July 29, 2020 H.McAndie email to M.Mello re: URGENT! Time Sensitive: Sequim School District 323 - Need information by EOB tomorrow	SSD_HM_0051 66- SSD_HM_0051 67	Stipulated	Disputed	FRE 401; 403; 801	
630.	July 9, 2020 M.Lyke to J.Maughan, H.McAndie, R.Alcafaras, M.Seabolt, T.Norman re: P- EBT Posts	SSD_HM_0051 82- SSD_HM_0051 85	Stipulated	Disputed	FRE 401; 403; 801	
631.	July 7, 2020 M.Lyke to T.Norman re: FW: SSD Youtube	SSD_HM_0052 32	Disputed	Disputed	FRE 106; 401; 403; 801; 901	
632.	July 8, 2020 J.Maughan to H.McAndie, M.Lyke, T.Norman re: PIO Information	SSD_HM_0052 39	Disputed	Disputed	FRE 106; 401; 403; 801; 901	
633.	EEOC Complaint	SSD_HM_0119 0- SSD_HM_0128 4	Stipulated	Stipulated		
634.	EEOC Determination	SSD_HM_0113 8- SSD_HM_0113 9	Stipulated	Disputed	FRE 401; 403	
635.	Hanna Smith McAndie Voluntary Statement Pueblo County Sheriff's Office November 2, 2011		Stipulated	Disputed	FRE 401; 403; 801	

1	636.	Affidavit in Support of Warrantless Arrest November 2, 2011		Stipulated	Disputed	FRE 401; 403; 801	
2	637.	Pueblo County Sheriff's Office Deputy Report for Incident 11U1939		Stipulated	Disputed	FRE 401; 403; 801	
3	638.	Dr. Brown Report	5227-001894-5227-001897	Stipulated	Disputed	FRE 401; 403; 801	
4	639.	Dr. Brown Addendum	No Bates	Stipulated	Disputed	FRE 401; 403; 801	
5	640.	Dr. Applegate report	No Bates	Stipulated	Disputed	FRE 401; 403; 801	
6	641.	Dr. Brown Declaration in support of Motions for Sanctions and attachments thereto		Stipulated	Stipulated		
7	642.	Dr. Brown CV		Stipulated	Disputed	FRE 401; 403; 801	
8	643.	Dr. Brown list of cases		Stipulated	Disputed	FRE 401; 403; 801	
9	644.	Dr. Applegate CV		Stipulated	Disputed	FRE 401; 403; 801	
10	645.	Timeline (Illustrative)		Not provided	Not provided	Not provided	
11				Dispute	Dispute	Plaintiff reserves objection after review	
12	646.	Calendar (Illustrative)		Not Provided	Not provided	Not provided	
13						Plaintiff reserves	

					objection after review	
647.	Jennifer Maughan Deposition Video Footage		Not provided	Not provided	Not provided Plaintiff objects to any use of footage as no depositio n designati ons were made by Defenda nts	
648.	Ian McAndie Deposition Video Footage		Not provided	Not provided	Not provided Plaintiff objects to any use of footage as no depositio n designati ons were made by Defenda nts	
649.	Hanna McAndie Deposition Video Footage		Not provided	Not provided	Not provided Plaintiff objects to any use of footage as no depositio n designati ons were made by	

					Defendants	
650.	Psychotherapy Intake Note CONFIDENTIAL	5227:001497	Stipulated	Disputed	FRE 401; 403; 801	
651.	July 22, 2020 Psychotherapy Progress Note CONFIDENTIAL	5227:001536	Stipulated	Disputed	FRE 401; 403; 801	
652.	July 20, 2020 Psychotherapy Progress Note CONFIDENTIAL	5227:001534	Stipulated	Disputed	FRE 401; 403; 801	
653.	July 29, 2020 Psychotherapy Progress Note CONFIDENTIAL	5227:001538	Stipulated	Disputed	FRE 401; 403; 801	
654.	January 27, 2022 Parkland CRC Episode 1 CONFIDENTIAL	5227 - 001627	Stipulated	Disputed	FRE 401; 403; 801	
655.	January 27, 2022 Parkland CRC Episode 1 CONFIDENTIAL	5227 – 001628	Stipulated	Disputed	FRE 401; 403; 801	
656.	January 27, 2022 Parkland CRC Episode 1 CONFIDENTIAL	51227 – 001631	Stipulated	Disputed	FRE 401; 403; 801	
657.	(no date) South Sound Behavioral Hospital Physician Discharge Summary CONFIDENTIAL	5227-001679	Stipulated	Disputed	FRE 401; 403; 801	

1	658.	March 22, 2022 South Sound Behavioral Hospital Psychiatric Note CONFIDENTIAL	5227-001705	Stipulated	Disputed	FRE 401; 403; 801	
2							
3							
4							
5	659.	March 21, 2022 South Sound Behavior Hospital Psychiatric Note CONFIDENTIAL	5227-001706	Stipulated	Disputed	FRE 401; 403; 801	
6							
7							
8							
9	660.	March 20, 2022 South Sound Behavioral Hospital Psychiatric Note CONFIDENTIAL	5227-001709	Stipulated	Disputed	FRE 401; 403; 801	
10							
11							
12							
13	661.	March 16, 2022 South Sound Behavioral Hospital Nursing Assessment CONFIDENTIAL	5227-001735	Stipulated	Disputed	FRE 401; 403; 801	
14							
15							
16							
17	662.	March 17, 2022 Psychosocial Assessment CONFIDENTIAL	5227-001742	Stipulated	Disputed	FRE 401; 403; 801	
18							
19							
20	663.	(no date) South Sound Discharge and Transition Plan CONFIDENTIAL	5227-001798	Stipulated	Disputed	FRE 401; 403; 801	
21							
22							
23	664.	April 6, 2022 South Sound Behavioral Hospital Discharge Medication Summary for Patient	5227-001802- 5227-001809	Stipulated	Disputed	FRE 401; 403; 801	
24							
25							
26							
27							

	CONFIDENTIAL					
665.	April 6, 2022 South Sound Behavioral Hospital Psychiatric Evaluation CONFIDENTIAL	5227-001810	Stipulated	Disputed	FRE 401; 403; 801	
666.	(no date) South Sound Behavioral Hospital Psychiatric Evaluation CONFIDENTIAL	5227-001812	Stipulated	Disputed	FRE 401; 403; 801	
667.	April 6, 2022 South Sound Behavioral Hospital CONFIDENTIAL	5227-001837- 5227-001843	Stipulated	Disputed	FRE 401; 403; 801	
668.	October 9, 2020 Text exchange between Plaintiff and G. Neal	HJM0003	Stipulated	Stipulated		
669.	December 22, 2020 Text exchange between Plaintiff and G.Neal	HJM0006	Stipulated	Disputed	FRE 401; 403; 801	
670.	January 21, 2021 Text exchange between Plaintiff and G. Neal	HJM0007- HJM0012	Stipulated	Disputed	FRE 106; 401; 403; 801	
671.	February 3, 2021 Email exchange between Plaintiff and J.Maughan	HJM0014- HJM0058	Disputed	Disputed	FRE 106; 401; 403; 801; 901	
672.	Text exchange between Plaintiff and M.Lyke re working from home	HJM0074	Stipulated	Disputed	FRE 106; 401; 403; 801; 901	

673.	September 22, 2020 Completed Employee Data Sheet recommending H.McAndie as Student Support Specialist	SSD_HM_000017	Stipulated	Stipulated		
674.	November 20, 2019 H.McAndie completed Student Support Specialist form	SSD_HM_000018	Stipulated	Stipulated		
675.	Klosterman Investigation Notes from Jennifer Maughan	SSD_HM_02042-SSD_HM_02043	Disputed	Disputed	FRE 106; 901	
676.	Plaintiff's Complete Tort Claim	HJM-000001-HJM-000091	Stipulated	Disputed	FRE 403 (duplicate of prior exhibit)	
677.	Interview Notes, Charge: 551-2021-00087, Intake: December 9, 2020 @8:30am – 9:35am	(Clark responses RFP 2)	Stipulated	Disputed	FRE 401; 403	
678.	October 27 and 28 email exchanges between H.McAndie and A. Klosterman re: Sequim S.D. Investigation	SSD_HM_02829 – SSD_HM_02830	Not provided Disputed	Not provided Disputed	Defendants did not produce this exhibit. Plaintiff reserves objection to the document after review	

Plaintiff reserves the right to offer at trial any exhibit listed by Defendant above.

Record Custodians

In the event authentication is contested at time of trial, the parties reserve the right to call any and all record custodians for authentication of records. The parties reserve the right to add to the final pretrial order any witnesses identified in discovery, initial disclosures, or in depositions, or as necessary to address objections to authenticity or admissibility of evidence by the defense.

This order has been approved by the parties as evidenced by the signatures of their counsel.

This order shall control the subsequent course of the action unless modified by a subsequent order.

This order shall not be amended except by order of the court pursuant to agreement of the parties or to prevent manifest injustice.

DATED this 14th day of March, 2023.



Honorable John H. Chun
United States District Court Judge

FORM APPROVED

By: /s/ Daniel Gallagher

Daniel C. Gallagher, WSBA No. 21940
GALLAGHER LAW OFFICE PS
10611 Battle Point Drive NE
Bainbridge Island, Washington 98110-1493
Email: dan@nwprolaw.com
Phone: 206.855.9310
Fax: 206.462.1557

By: /s/ Rachel L. Anyan

Rachel L. Anyan, WSBA No. 55252
Anyan Legal Services
4813 158th Ave SE
Bellevue, WA 98006
Phone: 714.227.3205

Attorneys for Plaintiff Hanna J. McAndie

By: /s/ Lori M. Bemis

Lori M. Bemis, WSBA #32921
McGAVICK GRAVES, P.S.
1102 Broadway, Suite 500
Tacoma, WA 98402
Phone: 253.627.1181

Attorney for Defendant Clark